

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

STEVEN GREGOR,

Plaintiff,

v.

GOLFSMITH INTERNATIONAL, INC.,

Defendant.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL ACTION NO. 09-1566 (MLC)

**MEMORANDUM OPINION**

**THE DEFENDANT** removing this action from state court based on subject-matter jurisdiction under 28 U.S.C. § ("Section") 1332 (dkt. entry no. 1, Rmv. Not.); and the plaintiff (1) timely moving to remand the action (dkt. entry no. 6, Not. of Mot.), and (2) filing a Stipulation stating that the requisite amount in controversy under Section 1332(a) has not been met, as "the amount of plaintiff's damages are capped at and cannot exceed the sum of \$74,999.00" (dkt. entry no. 6, Telson Certif., Ex. A, Stip.), see 28 U.S.C. § 1447(c); and thus the Court intending to (1) grant the motion, and (2) remand the action to state court;<sup>1</sup> and

**THE COURT** having been notified that the dispute herein has been settled; but the Court advising the parties to file any stipulation of dismissal or proposed consent order reflecting a

---

<sup>1</sup> The Court is granting the motion before the return date in view of the Stipulation filed by the plaintiff.

settlement in state court upon the remand of the action, as this Court now lacks subject-matter jurisdiction over the action; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper  
**MARY L. COOPER**  
United States District Judge

Dated: April 20, 2009